

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Maier Fenster on February 10, 2010.

The application has been amended as follows:

After the paragraph beginning in line 5 of page 5 and ending in line 9 of page 5, the following paragraph has been inserted:

In an exemplary embodiment of the invention, there is provided a venous port adapted to be placed through a body tissue and implanted in a surface vein for the purpose of unimpeded intake of fluid through an aperture thereof, comprising:

a hollow tube defining at least one aperture configured for the unimpeded intake of fluid when implanted in the surface vein; and

a plurality of extensions, each operative to be at at least two positions with respect to said at least one aperture, a first position near said at least one aperture and a second position in which at least part of each of said plurality of extensions extends away from said at least one aperture, wherein if said at least one aperture is blocked by an impediment, relative movement of said plurality of extensions with respect to said at least one aperture, from said first position to said second position, operates to dislodge

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the impediment from said at least one aperture and to open at least one blood passageway among said plurality of extensions;

wherein said hollow tube has a portion sized and shaped to prevent the insertion of more than 10 cm of said hollow tube in the body of a patient when implanted so that said hollow tube is adapted to be implanted in the surface vein and withstand the unimpeded intake of fluid for a period of one or more days.

In line 6 of claim 1, after "to be", "at" has been inserted. In line 14 of claim 6, "having" has been deleted and has been replaced with "has".

In line 2 of claim 25, "at least one extension" has been deleted and has been replaced with "plurality of extensions".

In line 1 of claim 36, after "one", "of said plurality of" has been inserted.

In line 2 of claim 40, "at least one extension" has been deleted and has been replaced with "plurality of extensions".

In line 2 of claim 41, "at least one extension" has been deleted and has been replaced with "plurality of extensions". In line 3 of claim 41, "at least one extension" has been deleted and has been replaced with "plurality of extensions".

In line 2 of claim 42, "at least one extension" has been deleted and has been replaced with "plurality of extensions". In line 4 of claim 42, "at least one extension" has been deleted and has been replaced with "plurality of extensions".

In claim 48, the paragraph beginning in line 4 with "at least one extension" and ending in line 11 with "said at least one aperture;" has been deleted and this paragraph has been replaced with the following:

"a plurality of extensions, each operative to be at at least two positions with respect to said at least one aperture, a first position near said at least one aperture and a second position in which at least part of each of said plurality of extensions extends away from said at least one aperture, wherein if said at least one aperture is blocked by an impediment, relative movement of said plurality of extensions with respect to said at least one aperture, from said first position to said second position, operates to dislodge the impediment from said at least one aperture and to open at least one blood passageway among said plurality of extensions;

wherein said hollow tube has a portion sized and shaped to prevent the insertion of more than 10 cm of said hollow tube in the body of a patient when implanted so that said hollow tube is adapted to be implanted in the surface vein and withstand the unimpeded intake of fluid for a period of one or more days;"

In lines 13-15 of claim 48, "said at least one extension wherein said at least one aperture is located in the said hollow tube." has been deleted and has been replaced with "at least one of said plurality of extensions."

In line 2 of claim 50, "at least one" has been deleted and has been replaced with "plurality of".

In line 1 of claim 55, after "wherein", "the" has been inserted. In line 2 of claim 55, "having" has been deleted and has been replaced with "has".

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2. The following is an examiner's statement of reasons for allowance: The venous port having a plurality of extensions where each of the plurality of extensions is operative to be in the two positions with respect to the at least one aperture of the hollow tube where the hollow tube has a portion sized and shaped to prevent the insertion of more than 10 cm of the hollow tube in addition to the other structural limitations of the venous port was not found in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHISMA MEHTA whose telephone number is (571)272-3383. The examiner can normally be reached on Monday through Friday, 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Simons can be reached on 571-272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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/Bhisma Mehta/

Examiner, Art Unit 3767

/Kevin C. Sirmons/

Supervisory Patent Examiner, Art Unit 3767